

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA**

Case No. 9:22-cv-80369-Matthewman

KELLY STONE, RICHARD BUTLER, and
DERMACARE PACKAGING & PRIVATE
LABEL, LLC,

Plaintiffs,

v.

OMRI SHAFRAN, DIMITRI MENIN, and
TEXAS MEDICAL TECHNOLOGY, LLC,

Defendants.

**MOTION FOR LEAVE TO FILE UNDER SEAL PLAINTIFFS' MOTION
FOR SANCTIONS FOR DEFENDANTS' PRODUCTION
OF A FALSIFIED DOCUMENT IN DISCOVERY**

In accordance with Rule 5.4 of the Local Rules for the U.S. District Court for the Southern District of Florida, Plaintiffs Kelly Stone, Richard Butler, and DermaCare Packaging & Private Label, LLC ("Plaintiffs") respectfully move the Court for an order granting leave to file Plaintiffs' Motion for Sanctions for Producing a Falsified Document in Discovery ("Motion for Sanctions" or "the Motion") under seal. The Motion also seeks sanctions for Defendants' false statements in signed declarations filed with the Court and in interrogatory responses. For purposes of avoiding unnecessarily long titles, Plaintiffs limited the title – but not the substance – of the motion to "Motion for Sanctions for Producing a Falsified Document."

Plaintiffs met and conferred with Defendants, who consent to the filing of the motion under seal.

The falsified document produced by Defendants is marked "Confidential," and pursuant to the Agreed Protective Order (Dkt. 71-1) adopted by the Court (Dkt. 72), Plaintiffs cannot disclose the document or its contents to persons that are not covered by Section 5 of the Agreed Protective Order. Consequently, the falsified document cannot be filed or cited in the public docket.

Plaintiffs are mindful of the language in the Court's order concerning the public's right of access to court records. (Dkt. 72 at 1-2.) Plaintiffs take no position at this time as to whether the documents cited and attached to the Motion for Sanctions are appropriately marked "Confidential."

For the reasons stated above, and with the consent of Defendants, Plaintiffs respectfully request that the Court enter an order granting Plaintiffs leave to file the Motion for Sanctions under seal.

Respectfully submitted,

Date: March 13, 2023

Signed: /s/*Denise Calle*

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